

OCT 06 2006



**HAMRE, SCHUMANN,
MUELLER & LARSON, P.C.**
AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

FAX TRANSMISSION October 6, 2006

TO: Mail Stop: AMENDMENT
 Examiner: J. Mondt
 Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

FROM: Curtis B. Hamre

OUR REF: 10233.0104USD2

TELEPHONE: (612) 455.3800

Total pages, including cover letter: 19

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If all pages are NOT received, please call us at 612.455.3800 or fax us at 612.455.3801.

Title of Document: **Information Disclosure Statement, Form 1449, 2 references, copy of
Japanese Office Action**

Applicant: TANAKA, et al.
Serial No.: 10/772,842
App. Filed: February 4, 2004
Group Art No.: 3663
Confirmation No.: 5983

Please charge Deposit Account No. 50-3478 in the amount of \$180 for payment of the IDS filing fee. Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Curtis B. Hamre
Name: Curtis B. Hamre
Reg. No.: 29,165

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Peggy J. Kerkhove

Peggy J. Kerkhove
Signature

October 6, 2006
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: TANAKA, et al. Examiner: J. Mondt
Serial No.: 10/772.842 Group Art Unit: 3663
Filed: February 4, 2004 Docket: 10233.0104USD2
Title: LIGHT EMITTING DEVICES

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on October 6, 2006.

By: 
Name: Peggy Kerkhove

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. The references were recently cited in a Japanese Office Action mailed July 10, 2006. A copy of the office action is enclosed. Copies of any foreign patent documents or "Other Documents" are enclosed.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §(a)(3)):

English abstract have been included for the cited Japanese references.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
- ☐ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☒ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND

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- ☒ the requisite Statement is below, AND
- ☒ the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

STATEMENT

As required under §1.97(e), Applicants hereby state either that:

- ☒ 1. Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- ☐ If this box is checked, Applicant provides the following:

Certification Under 37 C.F.R. §1.704(d)

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.Filing DateGroup

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

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FEE AUTHORIZATION

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902-0902
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Dated: October 6, 2006

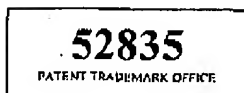
By:



Curtis B. Hamre

Reg. No. 29,165

CBH/pjk



Date Mailed: October 6, 2006

Sheet 1 of 1

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 10233.104USD2	Application Number: 10/772.842
	Applicant: TANAKA, et al.	
	Filing Date: February 4, 2004	Group Art Unit: 3663

[illegible]

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PATIENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE